

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

KYLE F. WALDINGER (ILBN 6238304)
Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor
San Francisco, California 94102
Telephone: (415) 436-6830
Facsimile: (415) 436-7234
E-mail: kyle.waldinger@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER BRUCE HARRELL,

Defendant.

No. CR 13-0090 SI

STIPULATION AND ~~PROPOSED~~
ORDER DOCUMENTING EXCLUSION
OF TIME

With the agreement of the parties in open court on February 25, 2013, and with the consent of the defendant Walter Bruce Harrell (“defendant”), the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from February 21, 2013 to March 22, 2013. The Court finds and holds, as follows:

1. The defendant made his initial appearance before the Court on February 21, 2013. At that appearance, the Court provisionally appointed AFD Candis Mitchell to represent the defendant and continued the matter to February 25, 2013 for identification of counsel.

2. At the appearance on February 25, 2013, the Court officially appointed AFD Mitchell to represent the defendant. The parties jointly requested that the Court set the matter for an initial status hearing before the assigned district court judge, the

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1 Honorable Susan Illston, for March 22, 2013. The parties advised the Court that the
2 government would very soon be producing discovery to the defense and that the defense
3 needed additional time to review that discovery and to investigate the case.

4 3. Based on these facts, the Court finds that, taking into the account the public
5 interest in the prompt disposition of criminal cases, granting the continuance until March
6 22, 2013, is necessary for effective preparation of defense counsel. See 18 U.S.C.
7 § 3161(h)(7)(B)(iv). Given these circumstances, the Court finds that the ends of justice
8 served by excluding the period from February 21, 2013 to March 22, 2013 outweigh the
9 best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

10 4. Accordingly, and with the consent of the defendant, the Court orders that
11 the period from February 21, 2013 to March 22, 2013 be excluded from Speedy Trial Act
12 calculations under 18 U.S.C. §§ 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

13 SO STIPULATED.

14 DATED: February 25, 2013

MELINDA HAAG
United States Attorney

15
16 /s/
17 KYLE F. WALDINGER
Assistant United States Attorney

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19 DATED: February 25, 2013

/s/
CANDIS LEA MITCHELL
Counsel for the defendant WALTER BRUCE
HARRELL

20
21
22 IT IS SO ORDERED.

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24 DATED: February 28, 2013


25 MARIA-ELENA JAMES
United States Magistrate Judge